

EXHIBIT 2

Matta Declaration

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

COMMODITY FUTURES TRADING
COMMISSION,

Plaintiff,

v.

CASPER MIKKELSEN, a/k/a “Carsten
Nielsen,” a/k/a “Brian Thomson,” a/k/a
“Thomas Jensen” and a/k/a “Casper Muller,”

Defendant.

CIVIL ACTION NO: 1:20-cv-03833

Declaration

I, Xavier Romeu-Matta, hereby declare pursuant to 28 U.S.C. § 1746, as follows:

I. SUMMARY

1. I am an attorney of record for Plaintiff in the above-referenced litigation.
2. On May 18, 2020, I filed a complaint in the above-captioned matter with the Court via ECF. *See* ECF No. 1.
3. On May 18, 2020, I was informed by a representative from the Danish Ministry of Justice that because of Covid it would take up to eight months to serve the amended summons and complaint on Defendant under Article 5 of the Hague Convention.
4. On July 20, 2020, I was informed by a DHL representative that a DHL courier personally handed the letter containing the amended summons and complaint to a person who identified himself as Casper Muller and immediately entered Defendant’s electronic signature.
5. On July 16, 2021, I asked the Danish Financial Intelligence Unit (“DFIU”), an independent unit at the Danish State Prosecutor for Economic and International Crime, to

confirm Casper Muller’s name and Denmark Address and to provide a valid email address from the Danish Central Registry of Persons (“DCPR”), an official Danish government database. By law, when a Danish citizen changes home address, the citizen must notify the Danish authorities of the new address no later than five days after moving there. (*See* Aaholm Decl. ¶ 19, copy attached as Exhibit 1 to the Letter Brief). The DCPR is the database that contains this information on Danish citizens. *Id.* On August 5, 2021, based on its review of the DCPR, the DFIU confirmed that Casper Muller was residing, as of that date, at the Denmark Address where the DHL courier personally served him with the amended summons and complaint. The DFIU also provided Casper Muller’s valid e-mail address from its review of the DRCP.

6. On August 3, 2021, at my request, the Danish Financial Intelligence Unit (“DFIU”), an independent unit at the Danish State Prosecutor for Economic and International Crime, once again confirmed Casper Muller’s Denmark Address, this time by accessing the DCRP. This Denmark Address confirmed by the DFSA is the same Denmark address confirmed by the DFIU. On August 4, 2021, the DFSA confirmed Casper Muller’s current contact email address at a Danish bank where Muller currently has a banking account. This email address is the same email address confirmed by the DFIU.

7. On August 9, 2021, Kenneth Kvistgaard-Aaholm (“Aaholm”), an experienced Danish lawyer and lecturer, reviewed the DCPR and confirmed that, as of that date, Casper Muller was still residing at the Denmark Address. (Aaholm Decl. ¶ 19); *see also Densys Ltd. v. 3Shape Trios A/S*, 336 F.R.D. 126, 131 (W.D. Tex. 2020) (relying on Aaholm’s knowledge and experience in Danish law, as a “Danish lawyer and lecturer,” in rendering its decision that service of process was effective under section 163(2)).

8. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on this 13th of August, 2021.

/s/ Xavier Romeu-Matta